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NOTIFICATION

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The following bill together with the Statement of Objects and Reasons and the financial memorandum attached to it, is published as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

V. KRISHNAMOORTHI,
Secretary, Legislative Assembly.

L.A. Bill No. 6 of 1957.

THE KERALA UNIVERSITY BILL

A BILL

TO PROVIDE FOR THE REORGANISATION OF THE UNIVERSITY OF TRAVANCORE

Preamble.—Whereas it is necessary to reconstitute the University of Travancore into a teaching and Federal University for the whole State of Kerala to enable it to provide greater facilities for University Education;

Be it enacted in the Eighth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala University Act, 1957.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Definitions.*—In this Bill, unless the context otherwise requires,—

(a) "College" means a college maintained by, or affiliated to, the University;

(b) "Dean" means the President of a Faculty of the University;

(c) "Faculty" means a Faculty of the University;

(d) "Board of Studies" means a Board of Studies of the University;

(e) "Senate" means the Senate of the University;

(f) "Syndicate" means the Syndicate of the University;

(g) "State" means the State of Kerala;

(h) "Registered Graduates" means graduates registered under the provisions of this Act and the Statutes;

(i) "Statutes", "Ordinances" and "Bye-Laws" mean the Statutes, Ordinances and Bye-Laws respectively of the University, for the time being in force;

(j) "teacher" means a Professor, Assistant Professor, Reader, Lecturer, Instructor or such other person imparting instruction or supervising or controlling research in any of the colleges or other educational institutions of the University;

(k) "teachers of the University" means teachers employed in institutions maintained by the University;

(l) "student" means a part-time or full-time student receiving instruction or carrying on research in any of the colleges or other educational institutions of the University;

(m) "prescribed" means prescribed by this Act, or the Statutes or Ordinances framed thereunder;

(n) "University" means the University of Kerala.

3. *The University.*—(1) The Chancellor, the Pro-Chancellor, the Vice-Chancellor and the members of the Senate and of the Syndicate, so long as they continue to hold such office or membership, as the case may be, shall constitute a body corporate with the name of the University of Kerala.

(2) The University shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(3) Subject to the provisions of this Act, the University shall have power to take, purchase and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary disposition or otherwise, and to grant, demise, alienate or otherwise dispose of all or any of the properties belonging to the University and also to do all other acts incidental or appertaining to a body corporate.

(4) All immovable property transferred to the University by Government shall be under the direction, management and control of the University and applied by it subject to the provisions and for the purposes of this Act.

4. *Territorial Limits.*—(1) The jurisdiction of the University shall extend to the whole of the State.

(2) No educational institution situate beyond the limits of the State shall, save with the sanction of the Chancellor, be affiliated to the University, and no educational institution within the State shall, save with the sanction of the Chancellor, seek or continue affiliation to any other University established by law.

5. *Powers of the University.*—The University shall have the following powers, namely:—

(i) to provide for instruction in such branches of learning as the University may deem fit, and to make provision for research and for the advancement and dissemination of knowledge;

(ii) to institute degrees, titles, diplomas and other academic distinctions;

(iii) to hold examinations and to confer degrees and other academic distinctions on persons who—

(a) shall have pursued a prescribed course of study in a college under the University, unless exempted therefrom in the manner prescribed, and shall have passed the prescribed examination; or

(b) shall have carried on research under prescribed conditions;

(iv) to confer honorary degrees or other distinctions on approved persons in accordance with the conditions to be prescribed in the Statutes;

(v) to grant diplomas, certificates or other distinctions to persons who shall have pursued a prescribed course of study under prescribed conditions.

(vi) to withdraw or cancel degrees, titles, diplomas, certificates or other distinctions under conditions that may be prescribed by the Statutes;

(vii) to establish, maintain and manage educational institutions and institutes of research;

(viii) to affiliate to itself colleges within the State in accordance with the conditions to be prescribed in the Statutes regarding management, salary and terms of service of members of the staff, and other such matters, and to withdraw affiliation from colleges;

(ix) to institute professorships, readerships, lecturerships and any other teaching post required by the University and to appoint persons to such professorships, readerships, lecturerships and other teaching posts;

(x) to inspect colleges and hostels;

(xi) to establish, maintain and manage hostels, to recognise hostels not maintained by the University and to withdraw recognition therefrom;

(xii) to exercise such control over the students as will ensure their physical and moral well-being;

(xiii) to fix the fees payable to the University and to demand and receive such fees;

(xiv) to hold and manage endowments and to institute and award fellowships, scholarships, studentships, exhibitions, bursaries, medals and prizes;

(xv) to institute and provide funds for the maintenance of:—

(a) A Students' Advisory Bureau;

(b) An Employment Bureau;

(c) University Athletic Clubs;

(d) The National Cadet Corps;

(e) University Extension Boards;

(f) Co-operative Societies and other similar institutions for promoting the welfare of students;

(xvi) to establish and maintain such other institutions as it may deem necessary;

(xvii) to co-operate with other Universities or any authorities or associations in such manner and for such purpose as the University may determine; and

(xviii) generally to do such other acts as may be required to further the aims and purposes of this Act.

6. **University open to all classes and creeds.**—(1) No person shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence, political opinion or any of them, be ineligible for, or discriminated against in respect of any employment or office under the University, or admission to any degree or course of study in the University:

Provided that the University may, subject to the previous sanction of the Government, maintain, affiliate or recognize any college or institution exclusively for women, either for education, instruction or residence, or reserve for women or members of socially and educationally Backward Classea or of Scheduled Castes and Scheduled Tribes, places for the purposes of admission as students in any college or institution maintained or controlled by the University.

(2) *Disqualification for membership.*—No person shall be qualified for election or nomination as a member of any of the authorities of the University if he—

(a) is, at the date of election or nomination as the case may be, below twenty-five years of age, or of unsound mind, deafmute or suffers from contagious leprosy, or

(b) is an undischarged insolvent, or

(c) has been convicted by a court of law of an offence which involves moral delinquency.

(3) If any question arises as to whether any person is disqualified under sub-section (2), the question shall be referred to the syndicate and its decision thereon shall be final.

7. *Inspection and inquiry.*—(1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained or recognized by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the results of such inspection or inquiry and shall after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be taken.

(3) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Chancellor may direct.

(4) Where the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue sucb directions as he may think fit and the Syndicate shall comply with such directions.

8. *Officers of the University.*—The following shall be the officers of the University, namely:—

(i) The Chancellor;

(ii) The Pro-Chancellor;

(iii) The Vice-Chancellor;

(iv) The Registrar; and

(v) such other officers as may be provided for by the Statutes.

9. *The Chancellor.*—(1) The Governor of the State shall be the Chancellor of the University. He shall by virtue of his office be the head of the University and shall, when present, preside at meetings of the Senate and at any Convocation of the University.

(2) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act or the Statutes.

10. *The Pro-Chancellor.*—(1) The Minister administering the subject of Education in the State for the time being shall be the Pro-Chancellor of the University.

(2) In the absence of the Chancellor or during his inability to act the Pro-Chancellor shall exercise all the functions of the Chancellor.

11. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor.

(2) The Vice-Chancellor shall hold office for a period of three years and shall receive such remuneration, as may be fixed in this behalf by the Chancellor.

(3) In the event of any temporary vacancy occurring in the Office of the Vice-Chancellor, the Syndicate shall, with the approval of the Chancellor, make necessary arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

(4) The Vice-Chancellor shall be the principal academic and executive officer of the University. He shall be the Chairman of the Senate and the Syndicate, and shall be entitled to be present at and to address any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned.

(5) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes and the Ordinances are faithfully observed and carried out, and he may exercise all powers necessary for this purpose.

(6) The Vice-Chancellor shall have the right of visiting and inspecting colleges and other institutions maintained by or affiliated to the University.

(7) The Vice-Chancellor may take action in any emergency which, in his opinion, calls for immediate action. In such a case he shall, as soon as may be thereafter, report his action

to the officer or authority who or which would ordinarily have dealt with the matter.

(8) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes.

12. *The Registrar.*—The Registrar shall be a whole-time paid officer of the University appointed by the Syndicate for such period and on such terms as may be prescribed by the Statutes. The Registrar shall exercise such powers and perform such duties as may be prescribed. Suits by or against the University shall be instituted by or against the Registrar.

13. *Authorities of the University.*—The following shall be the authorities of the University, namely:—

(i) The Senate;
(ii) The Syndicate;
(iii) The Faculties; and
(iv) such other authorities as may be provided for in the Statutes.

14. *The Senate.*—The Senate shall consist of the following members, namely:—

CLASS I—EX-OFFICIO MEMBERS.

1. The Chancellor.
2. The Pro-Chancellor.
3. The Vice-Chancellor.
4. Heads of University Departments.
5. Chief Justice, Kerala.
6. Secretary to Government, Education Department.
7. Secretary to Government, Finance Department.
8. The Director of Agriculture.
9. Director of Health Services.
10. Director of Industries and Commerce.
11. Director of Animal Husbandry.
12. Chairman, Electricity Board.
13. Director of Public Instruction.
14. Heads of recognised Research Institutions in the State (other than those maintained by the University).
15. Director of Technical Education.
16. Deans of Faculties.
17. Principals of Colleges in which instruction is given to a decree standard.
18. Members of the Syndicate who are not otherwise members of the Senate.

CLASS II—ELECTED MEMBERS.

(i) Sixteen members elected by the registered graduates from among themselves as follows:—

Registered Graduates in	Arts	..	2
do.	Science	..	2
do.	Technology	..	2

Registered Graduates	in Oriental Studies and Fine Arts	..	2
do.	Medicino	..	2
do.	Commerce	..	1
do.	Ayurveda	..	1
do.	Law	..	1
do.	Teaching	..	1
do.	Veterinary Science	..	1
do.	Agriculture	..	1

(ii) Six members elected from among themselves by tho members of tho Legislativo Assembly of tho State of Kerala.

(iii) Twonty-five members elected by the teaching staff of tho Colleges affiliated to the University which will be as follows:—

Teachers	in Arts	..	5
do.	Scienco	..	5
do.	Oriental Studies & Fine Arts	..	3
do.	Technology	..	3
do.	Medicine	..	3
do.	Commerco	..	1
do.	Law	..	1
do.	Teaching	..	1
do.	Veterinary Scienco	..	1
do.	Ayurveda	..	1
do.	Agriculture	..	1

(iv) Ono member elocted by tho Corporation of Trivandrum from among its own body;

(v) Ono mombor for each Revenue District elected from among thomselvos by tho Councillors of tho Municipalities in the respective Revenue Districts.

(vi) Two members olocted from among thomsolves by the Headmasters of the recognised High Schools in the Stato.

CLASS III—LIFE MEMBERS.

(i) Such persons not exceeding fivo in number as may be appointed by tho Chancellor to bo lifo members on the ground that they havo rendered eminont services to education;

(ii) All porsons who have contributed not less than twenty-five thousand rupees or transferred property of the like value to tho University Fund for tho goneral purposes of the Univorsity:

Provided that a person who has becomo a life member of tho Sonate undor sub-clauso (xiv) of Section 14(s) of tho Travancore University Act, 1113 (Act I of 1113), shall havo the right to retain his membership of tho Senate.

CLASS IV—OTHER MEMBERS.

Not more than twelve members nominated by the Chancellor which will be as follows:—

Five members to represent Cultural Organisations, Associations or Societies; three members to represent Chambers of Commerce in the State, two members to represent Industries in the State.

15. *Senate.*—(1) The Senate shall be reconstituted every three years. Every member of the Senate other than ex-officio and life members shall, subject to the provisions of this Act and the Statutes, hold office until the next reconstitution of the Senate:

Provided that no member nominated or elected in his capacity as a member of a particular body or as the holder of a particular office shall hold office for a longer period than three months after he has ceased to be such member unless in the meanwhile he again becomes a member of that electorate:

Provided also that where an elected or nominated member of the Senate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Senate ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate by virtue of his election or nomination, or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment, and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member.

(2) When a person ceases to be a member of the Senate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Senate.

16. *Powers of the Senate.*—(1) Subject to the provisions of this Act and the Statutes, the Senate shall have general superintendence over the affairs, concerns and properties of the University and shall exercise all the powers of the University not otherwise provided for.

(2) The Senate shall, subject to the provisions of this Act and the Statutes, have the following powers, namely:—

(i) To determine what degrees, diplomas and other academic distinctions shall be granted by the University;

(ii) to make, amend or repeal Statutes either of its own motion or on the motion of the Syndicate;

(iii) to cancel or modify any Ordinance passed by the Syndicate by a resolution passed by a majority of not less than two-thirds of the members present at the meeting at which the Ordinance is reported to the Senate by the Syndicate;

(iv) to review the annual report and the annual accounts of the University which shall be placed before it by the Syndicate and to consider and pass the budget according to the provisions of the Statutes;

(v) to accept endowments, bequests, donations and transfers of any movable or immovable property on behalf of the University;

(vi) to institute fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the provisions of this Bill and the Statutes and the Ordinances;

(vii) to institute professorships, readerships, lecturerships and such other teaching or research posts as it may deem necessary;

(viii) to establish and maintain such institutions as it may from time to time deem necessary;

(ix) to prescribe the terms and conditions of service of the employees of the University;

(x) to appoint committees and to delegate to them such powers of the Senate as it may deem fit;

(xi) to make Statutes regulating the method of election to the authorities of the University and the procedure at the meeting of the Senate, the Syndicate and other authorities of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate;

(xii) to perform such other functions as are assigned to it by this Act or the Statutes.

17. *Meeting of the Senate.*—(1) The Senate shall meet at least twice a year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the annual meeting. The Senate may also meet at such other times as it may, from time to time, determine.

(2) Twenty-five members shall be the quorum for a meeting of the Senate, provided that such quorum shall not be required for a Convocation of the University or a meeting of the Senate held for the purpose of conferring degrees, titles, diplomas or other distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit and shall, upon a requisition in writing signed by not less than twenty-five members of the Senate, convene a special meeting of the Senate.

18. *The Syndicate.*—The Syndicate shall consist of the following members, namely:—

CLASS I—EX-OFFICIO MEMBERS

1. The Vice-Chancellor.
2. The Director of Public Instruction, Kerala.
3. Secretary to Government, Education Department.
4. Secretary to Government, Finance Department.

CLASS II—OTHER MEMBERS

(i) Four members elected from among themselves by the Principals of Colleges in which instruction is given to a degree standard.

(ii) Five members elected from among themselves by the Senate of whom three shall be persons not connected with the profession of teaching:

Provided that no employee of the University shall be eligible for election from the Senate to the Syndicate.

(iii) Two Deans elected by the Deans of Faculties from among themselves, one member elected by the Heads of Study in the University from among themselves; one member elected by the Combined Faculties from among themselves (these shall not be Principals, Deans or Heads of Departments).

19. *Term of office of members of Syndicate.*—Members of the Syndicate, other than ex-officio members shall hold office for a period of three years from the date of their election, nomination or appointment:

Provided that no person elected, nominated or appointed in his capacity as a member of a particular body or as the holder of a particular office shall be a member of the Syndicate for a longer period than three months after he has ceased to be such member unless in the meanwhile he again becomes a member of that electorate.

20. *Powers of the Syndicate.*— Subject to the provisions of this Act and the Statutes, the Executive Authority of the University including the general superintendence and control over the institutions of the University shall be vested in the Syndicate; and subject likewise, the Syndicate shall have the following powers, namely:—

(a) to affiliate institutions in accordance with the conditions prescribed in the Statutes;

(b) to make Ordinances and to amend or repeal the same;

(c) to propose Statutes for the consideration of the Senate;

(d) to hold, control and administer the properties and funds of the University;

(e) to direct the form, custody and use of the common seal of the University;

(f) to arrange for and direct the inspection of colleges, hostels and other institutions; and to constitute a Board of Inspection for that purpose;

(g) to prescribe the qualifications of teachers:

(i) in the Colleges, and

(ii) in the institutions maintained by the University on the recommendation of the Board of Selection.

(h) to appoint teachers of the University, fix their emoluments and prescribe their duties and the conditions of their service;

(i) to suspend and dismiss teachers of the University, provided that the employee so punished shall have a right of appeal to a Tribunal appointed by the Chancellor whose decision shall be final and binding;

(j) to charge and collect such fees as may be prescribed by the Ordinances;

(k) to award fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the provisions of this Act and the Statutes and the Ordinances;

(l) to exercise supervision and control over the residence and discipline of students;

(m) to frame the financial estimates of the University and submit them to the Senate in accordance with the provisions of the Statutes made in this behalf;

(n) to prescribe the course of study after consultation with the Boards of Studies and Faculties concerned;

(o) to conduct the University Examinations and approve and publish the results thereof;

(p) to decide what examinations of other Universities may be accepted as equivalent to those of the University, and to negotiate with other Universities for the recognition of the examinations of the University;

(q) to prescribe, in consultation with the Faculties concerned, the qualifications for admission of students to the various courses of study and examinations and the conditions under with exemptions may be granted;

(r) to appoint members to the Boards of Studies, in consultation with the Faculties concerned;

(s) to appoint examiners and to fix their remuneration;

(t) to exercise such other powers and perform such other duties as may be prescribed by this Act, the Statutes and the Ordinances;

(u) to delegate any of its powers to the Vice-Chancellor or to a Committee appointed from among its members.

(v) to arrange for and direct inspection of affiliated colleges recognised institutions and hostels; to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment of members of staff and payment of adequate salaries, in case of disregard of such instructions to recommend to the Senate to modify the conditions of affiliation or recognition or take such other steps as it deems proper in that behalf;

(w) to see that a written contract governs the relationship between the teachers and management of private institutions.

21. *Election of members to the Senate and the Syndicate.*—The election of members to the Senate and to the Syndicate shall be conducted on the principle of Proportional representation by means of the single transferable vote in accordance with the Statutes framed in this behalf.

22. *Faculties.*— (1) The University shall have the following Faculties:—

(i) The Faculty of Arts.
(ii) The Faculty of Science.
(iii) The Faculty of Engineering.
(iv) The Faculty of Technology.
(v) The Faculty of Oriental Studies.
(vi) The Faculty of Fine Arts.
(vii) The Faculty of Commerce.
(viii) The Faculty of Medicine.
(ix) The Faculty of Ayurveda.
(x) The Faculty of Law.
(xi) The Faculty of Education.
(xii) The Faculty of Agriculture.
(xiii) The Faculty of Veterinary Science.
(xiv) Such other Faculties as may be prescribed from time to time by the Statutes.

(2) The Faculties shall act in an advisory capacity to the Senate and the Syndicate in all academic matters, and shall perform such other functions as may be prescribed by the Statutes and the Ordinances.

(3) The Faculty shall consist of all members of the Board of Studies in the Faculty and such number of members not being less than six and not more than ten nominated by the Syndicate. They shall include representatives of other Universities in the respective subjects, Heads of Government Departments and representatives of Public and Private Sectors of Industry.

23. *Boards of Studies.*—There shall be Boards of Studies attached to each department of study in the University. The constitution and powers of the Boards of Studies shall be prescribed in the Ordinances.

24. *Institutions affiliated to the University.*—(1) All Colleges now established in the State shall stand affiliated to the University.

(2) The control of all institutions vested in the University at the commencement of this Act shall vest in the Government except the Research Institutions and other institutions as may be specified by the Government by notification in the Gazette.

(3) The Government may at any time transfer to the University any institution, subject to such terms and conditions as they may deem fit to impose as regards its future maintenance and control and the University may accept such transfer and thereafter it shall abide by such terms and conditions.

25. *The Statutes.*—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) The powers and duties of the officers of the University in so far as these are not provided for herein.

(b) The constitution, powers and duties of the authorities of the University in so far as these are not provided for herein.

(c) The procedure for election of members to the Syndicate, the Senate and other authorities of the University and all such other matters relating to these bodies, as may be necessary or desirable to provide.

(d) The degrees, diplomas, titles, certificates and other academic distinctions to be awarded by the University.

(e) The withdrawal or cancellation of degrees, diplomas, titles, certificates and other academic distinctions.

(f) The maintenance of a register of registered graduates.

(g) The holding of Convocation to confer degrees.

(h) The conferment of honorary degrees.

(i) The maintenance of the accounts and the preparation and passing of the annual budget of the University.

(j) The fixation of the scales of pay and the conditions of service of teachers of the University.

(k) All such other matters as are required or authorised by this Act to be perscribed by means of Statutes.

26. *Procedure for making Statutes.*— (1) The Senate may take into consideration the draft of any Statute either of its own motion or as proposed by the Syndicate.

(2) Where, either of its own motion or as proposed by the Syndicate, a draft Statute has been placed before the Senate for its consideration, the Senate may pass the Statute with or without amendments, or reject it, or refer it to the Syndicate for resubmission together with any amendments that the Senate may suggest:

Provided that before any Statute is passed affecting the powers or duties of any officer, or the constitution, powers or duties of any authority of the University, the opinion of the Syndicate and a report from the officer or anthority concerned shall have been taken into consideration by the Senate.

(3) All Statutes passed by the Senate shall be submitted to the Chancellor, and the Chancellor may sanction, disallow or remit the same for further consideration.

(4) No Statute, amendment or repeal of an existing Statute made by the Senate shall have effect until it has been assented to by the Chancellor.

27. *The Ordinances.*— Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely.—

(a) The courses of study and the conduct of examinations.

(b) The admission of students to the various courses of study and to the examinations.

(c) The levy of fees in colleges and other institutions maintained by the University.

(d) The residence and discipline of students.

(e) The qualifications of teachers.

(f) The appointment and the prescription of duties of Boards of Studies and Examiners.

(g) The scales of pay and the terms and conditions of service of employees of the University other than teachers of the University.

(h) All such other matters as may, in accordance with the provisions of this Act and the Statutes, be prescribed by Ordinances.

28. *Procedure for making Ordinances.*— (1) All Ordinances made by the Syndicate shall have effect from such date as the Syndicate may direct; but every Ordinance so made shall be submitted, as soon as may be, to the Chancellor and the Senate, and shall be considered by the Senate at its next succeeding meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or modify any such Ordinance.

(2) The Chancellor may direct that the operation of any Ordinance shall be suspended until such time as the Senate has had an opportunity of considering the same.

(3) The procedure to be followed in making, amending or repealing ordinance in so far as these are not provided in this clause shall be prescribed by the Statutes.

29. *Rules and bye-laws.*— The Syndicate shall have power to frame rules and bye-laws not inconsistent with the provisions of this Act, the Statutes and the Ordinances, for the guidance and working of boards and committees and other bodies constituted under the provisions of this Act or the Statutes or Ordinances and for regulating the procedure and conduct of business at meetings of University authorities other than the Senate.

30. *University Fund.*—(a) All grants made by the Government from time to time, and all sums paid or endowments made by private persons, or local authorities for the purposes of the University, together with all fees received and rents and profits and other income derived from the properties and funds vested in the University, shall form a fund styled "the University Fund" which shall be at the disposal of the University to be employed for the purposes and in the manner mentioned in this Act and in the Statutes and the Ordinances.

(b) The University Fund shall be kept in the Government Treasury.

31. *Grants.*—(1) The University shall receive as grants for its maintenance such sum as may be fixed by the Government each year.

(2) The Government may pay to the University such grants as may be decided upon by the Government for the purpose of expansion of its academic and research functions and for the purpose of assisting colleges affiliated to the University.

32. *Annual accounts.*—(1) The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Government for audit.

(2) The accounts when audited shall be published by the Syndicate in the Kerala Government Gazette, and copies thereof shall, together with copies of the audit report, be submitted to the Senate and the Government.

(3) The Syndicate shall also prepare three months before the close of the financial year the financial estimates for the ensuing year.

(4) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting, and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take action in accordance therewith.

33. *Annual report.*— The annual report of the University shall be prepared by the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at its next annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate. The Syndicate shall inform the Senate of the action taken by it. A copy of the report with a copy of the resolutions thereon, if any, of the Senate shall be submitted to the Government for information.

34. *Powers of Government.*— (1) The Government shall appoint auditors of the accounts of the University and the institutions under the management of the University. The auditors shall maintain a continuous audit of the accounts of the University and may after giving due intimation conduct local audit of any institution under the management and control of the University.

The University shall bear the cost of the audit as fixed by Government.

(2) After completing the audit for a year or for any shorter period or for any transaction or series of transactions, the auditors shall send a report to the University and a duplicate copy thereof to the Government. The auditors shall specify in the report all cases of irregular, illegal or improper expenditure or of failure to recover moneys or other property due to the University or of loss or waste of money or other property thereof caused by neglect or misconduct of the

Officers and authorities of the University. The Auditors shall also report on any other matter relating to the accounts of the University as may be required by the Government.

(3) The University shall forthwith remedy any defect or irregularity pointed out by the auditors and report the same to the Government.

(4) The Government shall have the right to cause an inspection to be made, by such person or persons as they may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, and of any institutions maintained, recognised or approved by, or affiliated to the University, and also of the work conducted by the University and to cause an inquiry to be made in respect of any matter connected with the University. The Government shall in every case give notice to the University of its intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(5) The Government shall communicate to the Syndicate the results of such inspection or inquiry and may, after ascertaining the opinion of the Syndicate thereon, convey its views to the Senate and to the Syndicate. The Government may, after considering the views of the Senate and the Syndicate thereon, advise the University upon the action to be taken.

(6) The Syndicate shall report to the Government the action, if any, which is proposed to be taken, or has been taken, upon the results of such inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Government may direct.

(7) Where the Senate or the Syndicate does not, within a reasonable time, take action to the satisfaction of the Government, the Government may after considering any explanation furnished or representation made by the Senate or the Syndicate issue such directions as they may think fit, and the Senate and the Syndicate shall comply with such directions.

35. *Conditions of service.*—(1) Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

(2) *Tribunal of Arbitration.*—Any dispute arising out of a contract between any officer or teacher of the University shall, on the request of the officer or teacher concerned be referred to a Board of Arbitration consisting of one member appointed by the Syndicate, one member nominated by the Government not below the rank of a District Judge (who will be the Chairman) and a nominee of the officer or teacher concerned.

(3) The award of the Board shall be final and no suit shall lie in any Civil Court in respect of the matter decided by

the Board. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940, and the provisions of that Act shall apply accordingly.

36. *Conditions of service of private teachers.*—The provisions in section 35 shall govern the appointment of teachers in private colleges subject to the proviso that a nominee of the management shall also be included in the Board, in lieu of the representative of the Syndicate.

37. *Pension, Insurance and Provident Fund.*—The University shall make adequate provisions for the benefit of its officers, teachers and other servants under their control and the teachers and other servants employed in private colleges in matters of insurance and pension and provident fund or for other benefits as it may deem fit in such manner as may be prescribed by the Statutes.

38. *Miscellaneous.*—(1) No act or proceedings of the Senate, the Syndicate or other body constituted under this Act or the Statutes or the Ordinances shall be deemed to be invalid merely by reason of any vacancy in the body doing or passing it, at the time any such act or proceeding is done or passed.

(2) The appointment of the Vice-Chancellor and the Registrar shall be notified in the Gazette.

(3) The Statutes, Ordinances, Rules and Bye-Laws passed in accordance with the provisions of this Act shall be published in the Gazette.

(4) The Syndicate shall forward to Government within one month of the date of the meetings copies of the proceedings of the Senate and the Syndicate.

(5) *Vacating office.*—Any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

(6) Any member of any authority or body of the University shall cease to be a member on his being convicted by a Court of Law of an offence which involves moral delinquency.

(7) When any vacancy occurs in the office of a member (other than an ex-officio member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the election, nomination, appointment or co-option, as the case may be, of a member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred:

Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such members expires, the vacancy shall not be filled.

39. *Dispute as to constitution of University authority or body.*— If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or as to whether a person has been duly elected or appointed as or is entitled to be, a member of any authority or other body of the University, the matter may be referred to the Chancellor and shall be so referred to him if twenty-five members of the Senate so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

40. *Protection of Acts and Orders.*— All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

41. *Transitory provisions.*—(1) Notwithstanding anything contained in this Act, the colleges in the State affiliated to the University of Madras at the commencement of this Act may continue their affiliation with that university for such minimum period as may be required to enable students pursuing a course of study leading to any examination of the University of Madras to complete that course and to sit for the examination, and the University and the colleges shall provide for such students instructions in accordance with the curricula prescribed by the University of Madras.

(2) Notwithstanding anything contained in this Act, the Scot Christian College, Nagercoil, and the South Travancore Hindu College, Nagercoil, affiliated to the University of Travancore shall be permitted to continue their affiliation with the University of Kerala until such time as they are affiliated to any other University.

(3) Notwithstanding anything contained in this Act, or the Statutes and Ordinances framed thereunder, any research student of the University of Travancore, or any student of a colleges maintained by or admitted to the privileges of the University of Travancore constituted under the Travancore University Act, 1113, shall be permitted to complete his course and take his degree under the University constituted by this Act.

(4) Any officer or authority of the University exercising any functions or performing any duties under the Travancore University Act, 1113, immediately before the commencement of this Act, shall continue to exercise such functions or perform such duties as the case may be until the corresponding new officer or authority is appointed, elected or nominated or constituted in accordance with the provisions of this Act or the Statutes or Ordinances framed thereunder:

Provided that nothing in this sub-section shall enable such officer or authority to function as such after the lapse of one year from the commencement of this Act.

(5) The Statutes, Ordinances and Bye-Laws in force at the commencement of this Act shall, in so far as they are not repugnant to the provisions of this Act, continue to be in force until they are replaced by the Statutes, Ordinances or Bye-Laws framed under this Act.

(6) All properties, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in or held in trust by or for the University of Travancore as constituted under the Travancore University Act, 1113, as well as all liabilities legally subsisting against the said University, shall pass to the University as constituted under this Act.

(7) Notwithstanding anything contained in this Act, the first Statutes, Ordinances and Bye-Laws shall be approved by Government before they are brought into force.

42. *Removal of difficulties.*—If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, tha Government may by order do anything which appears to them necessary for the purpose of removing the difficulty.

43. *Repeal.*—The Travancore University Act, 1113, is hereby repealed.

STATEMENT OF OBJECTS AND REASONS.

It is proposed to re-constitute the University of Travancore into a teaching and federal University of Kerala. It is also proposed to make it an autonomous body and eliminate control by Government.

FINANCIAL MEMORANDUM.

A block-grant of Rs. 25 lakhs is now paid to the University. Under the Bill, the colleges now under the control of the University will be transferred to the control of the Government. A proportionate reduction can be made in the grant to be paid to the University. As such, no additional expenditure is involved in the Bill.

JOSEPH MUNDASSERY.

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